

CHAPTER I

INTRODUCTION

I.1 PROPOSED ACTION

The project consists of the adoption and implementation of the Foresthill Divide Community Plan (FDCP), which consists of the following elements:

- Community Development Element, including Population and Housing, Land Use, Community Design, Public Facilities, and Parks and Recreation
- Resource Management Element, including Natural Resources/Conservation/Open Space, Cultural Resources, and Air Quality
- Transportation and Circulation Element

The FDCP includes a land use and circulation plan for the Plan area. The proposed project also includes rezoning of properties within the Plan area as necessary and required to achieve consistency with the proposed FDCP land use designations.

I.2 PROCEDURES

Pursuant to Section 15168 of the Guidelines for Implementation of the California Environmental Quality Act (CEQA Guidelines), a Program Environmental Impact Report (EIR) is prepared for a series of related actions that can be characterized as one large project, such as a general plan or specific plan. In contrast, a project EIR, the most common type of EIR, examines the impacts that would result from a specific development proposal or other project.

Through the preparation of an Initial Study, Placer County determined that a Program EIR should be prepared for the FDCP pursuant to CEQA Guidelines Section 15063. A Notice of Preparation (NOP) was circulated from September 25 through October 26, 2001, for review and comment by responsible, trustee, local and other interested agencies. The NOP and responses to the NOP are included as Appendix A of this EIR.

As defined by Section 15378 of the CEQA Guidelines, a project is any action that "...has a potential for resulting in either a direct physical change in the environment, or a reasonably foreseeable indirect physical change in the environment..." Section 15093 of the Guidelines requires decision-makers to balance the benefits of a proposed project against any unavoidable environmental effects of the project. If the benefits of the project outweigh the unavoidable adverse environmental effects, the decision-makers may adopt a statement of overriding considerations, finding that the environmental effects are acceptable in light of the project's benefits to the public.

Under CEQA, the Lead Agency is usually the public agency with authority to approve or deny the project. In this case, the Placer County Board of Supervisors will act as Lead Agency with

authority to certify the EIR. Under Section 15381 of the CEQA Guidelines, a Responsible Agency is a public agency other than the Lead Agency that has discretionary approval authority over the project, and will utilize the EIR prepared for the County. No additional public agencies whose discretionary approval is required have been identified. The lead agency is a County government, which has the discretionary authority to amend its land use documents and regulations. Portions of the Plan area are within the jurisdiction of the federal government (U.S. Forest Service, U.S. Bureau of Land Management, and the U.S. Bureau of Reclamation); these lands are not subject to the provisions of the FDCP.

The CEQA process requires that the lead agency seriously consider input from trustee agencies, other interested agencies, citizen groups and individuals. CEQA provides for a public process requiring full public disclosure of the expected environmental consequences of the proposed action. The public must be given a meaningful opportunity to comment. CEQA also requires monitoring to ensure that mitigation measures are carried out.

CEQA requires a 45-day public review period for commenting on the Draft EIR. During the review period, any agency, group or individual may comment in writing on the Draft EIR, and the Lead Agency must respond in writing to each comment on environmental issues in the Final EIR. According to Section 15202 of the CEQA Guidelines, CEQA does not require formal hearings at any stage of the environmental review process. However, it is typical to consider the EIR and its findings during public hearings required for the associated project.

I.3 METHODOLOGY

As described in Section 1.2 above, Placer County has determined that a Program EIR should be prepared for the project.

Section 15168 of the State CEQA Guidelines provides the following description of when a program EIR is used:

- (a) General. A program EIR is an EIR which may be prepared on a series of actions that can be characterized as one large project and are related either:
 - (1) Geographically,
 - (2) As logical parts in the chain of contemplated actions,
 - (3) In connection with issuance of rules, regulations, plans, or other general criteria to govern the conduct of a continuing program, or
 - (4) As individual activities carried out under the same authorizing statutory or regulatory authority and having generally similar environmental effects which can be mitigated in similar ways.

Section 15168(c) and (d) also describe the use of a program EIR with later activities.

(c) Use With Later Activities. Subsequent activities in the program must be examined in the light of the program EIR to determine whether an additional environmental document must be prepared.

(d) Use With Subsequent EIRs and Negative Declarations. A program EIR can be used to simplify the task of preparing environmental documents on later parts of the program...

Refer to Sections 15168(c) and (d) for greater detail on the process of using a program EIR for later activities.

Section 15183 of the CEQA Guidelines includes the following discussion regarding projects consistent with a community plan, General Plan or zoning:

(a) CEQA mandates that projects which are consistent with the development density established by existing zoning, community plan, or general plan policies for which an EIR was certified shall not require additional environmental review, except as might be necessary to examine whether there are project-specific significant effects which are peculiar to the project or its site. This streamlines the review of such projects and reduces the need to prepare repetitive environmental studies.

(b) In approving a project meeting the requirements of this section, a public agency shall limit its examination of environmental effects to those which the agency determines, in an initial study or other analysis:

- (1) are peculiar to the project or the parcel on which the project would be located,
- (2) were not analyzed as significant effects in a prior EIR on the zoning action, general plan, or community plan, with which the project is consistent,
- (3) are potentially significant off-site impacts and cumulative impacts which were not discussed in the prior EIR prepared for the general plan, community plan or zoning action, or

(4) are previously identified significant effects which, as a result of substantial new information which was not known at the time the EIR was certified, are determined to have a more severe adverse impact than discussed in the prior EIR.

(c) If an impact is not peculiar to the parcel or to the project, has been addressed as a significant effect in the prior EIR, or can be substantially mitigated by the imposition of uniformly applied development policies or standards, as

contemplated by subdivision (e) below, then an additional EIR need not be prepared for the project solely on the basis of that impact.

(d) This section shall apply only to projects which meet the following conditions:

(1) The project is consistent with:

(A) a community plan adopted as part of a general plan,

(B) a zoning action which zoned or designated the parcel on which the project would be located to accommodate a particular density of development, or

(C) a general plan of a local agency, and

(2) an EIR was certified by the lead agency for the zoning action, the community plan, or the general plan.

(e) This section shall limit the analysis of only those significant environmental effects for which:

(1) each public agency with authority to mitigate any of the significant effects on the environment identified in the EIR on the planning or rezoning action undertakes or requires others to undertake mitigation measures specified in the EIR which the lead agency found to be feasible, and

(2) the lead agency makes a finding at a public hearing as to whether the feasible mitigation measures will be undertaken.

(f) An effect of a project on the environment shall not be considered peculiar to the project or the parcel for the purposes of this section if uniformly applied development policies or standards have been previously adopted by the city or county with a finding that the development policies or standards will substantially mitigate that environmental effect when applied to future projects, unless substantial new information shows that the policies or standards will not substantially mitigate the environmental effect. The finding shall be based on substantial evidence which need not include an EIR. Such development policies or standards need not apply throughout the entire city or county, but can apply only within the zoning district in which the project is located, or within the area subject to the community plan on which the lead agency is relying. Moreover, such policies or standards need not be part of the general plan or any community plan, but can be found within another pertinent planning document such as a zoning ordinance. Where a city or county, in previously adopting uniformly applied development policies or standards for imposition on future projects, failed to make a finding as to whether such policies or standards would substantially mitigate the effects of future projects, the decisionmaking body of the city or

county, prior to approving such a future project pursuant to this section, may hold a public hearing for the purpose of considering whether, as applied to the project, such standards or policies would substantially mitigate the effects of the project. Such a public hearing need only be held if the city or county decides to apply the standards or policies as permitted in this section.

(g) Examples of uniformly applied development policies or standards include, but are not limited to:

- (1) Parking ordinances,
- (2) Public access requirements,
- (3) Grading ordinances,
- (4) Hillside development ordinances,
- (5) Flood plain ordinances,
- (6) Habitat protection or conservation ordinances,
- (7) View protection ordinances.

(h) An environmental effect shall not be considered peculiar to the project or parcel solely because no uniformly applied development policy or standard is applicable to it.

(i) Where the prior EIR relied upon by the lead agency was prepared for a general plan or community plan that meets the requirements of this section, any rezoning action consistent with the general plan or community plan shall be treated as a project subject to this section.

(1) “Community plan” is defined as a part of the general plan of a city or county which applies to a defined geographic portion of the total area included in the general plan, includes or references each of the mandatory elements specified in Section 65302 of the Government Code, and contains specific development policies and implementation measures which will apply those policies to each involved parcel.

(2) For purposes of this section, “consistent” means that the density of the proposed project is the same or less than the standard expressed for the involved parcel in the general plan, community plan or zoning action for which an EIR has been certified, and that the project complies with the density-related standards contained in that plan or zoning. Where the zoning ordinance refers to the general plan or community plan for its density standard, the project shall be consistent with the applicable plan.

(j) This section does not affect any requirement to analyze potentially significant offsite or cumulative impacts if those impacts were not adequately discussed in the prior EIR. If a significant offsite or cumulative impact was adequately

discussed in the prior EIR, then this section may be used as a basis for excluding further analysis of that offsite or cumulative impact.

Analysis contained in the Initial Study prepared for this project (reference Appendix A) and responses to the Notice of Preparation have identified the following areas, organized to correspond to the subjects addressed in the Foresthill Divide Community Plan, which may result in potentially significant impacts requiring in-depth review and which are analyzed in this EIR. All impacts are analyzed in comparison to existing conditions in the Plan area.

Population and Housing. This section addresses the growth inducing potential of the FDCP and impacts on the housing stock. Although these impacts were found to be less than significant in the Initial Study, CEQA requires that an EIR address the growth-inducing impacts of a project.

Land Use. This section focuses on impacts on agricultural and timber resources or operations, impacts related to land use conflicts, and impacts related to changes in land use designations and zoning districts from the 1981 Foresthill General Plan.

Community Design. This section addresses visual and aesthetic impacts related to FDCP adoption, including impacts on scenic vistas, scenic highways, and light and glare.

Public Facilities. Subjects addressed in this section include impacts on police and fire protection, education/schools, water supply, sewage disposal, drainage and water quality, public utilities, and impacts on other public services (solid waste, general government, cemeteries, libraries, and postal facilities), along with recommended mitigation measures.

Parks and Recreation. This section addresses impacts on existing park and recreation facilities and programs, as well as the demand for new facilities and programs which may be created by the FDCP.

Natural Resources/Conservation/Open Space. This section evaluates the available data to determine whether the project has any potential to disturb species of special concern or adversely affect habitat, and recommends measures that are necessary to mitigate potential impacts. This section also identifies impacts and mitigation measures related to agricultural and forest resources, soils, geologic hazards, water resources, open space and conservation.

Cultural Resources. Existing cultural resources (archaeological and historical) in the Plan area are described in this section, and impacts and mitigation measures are identified.

Air Quality. The air quality section addresses the direct and cumulative air quality impacts of the FDCP and rezoning, which is within the Placer County Air Pollution Control District (PCAPCD). This section addresses the overall magnitude of emissions resulting from the implementation of the Community Plan, as well as measures that could be implemented to reduce project emissions.

Transportation and Circulation. The transportation and circulation section evaluates and summarizes existing and cumulative conditions in the Plan area, including an analysis of roadway capacities and future cumulative traffic conditions. Circulation improvements are identified which will reduce potential impacts.

Noise. The noise section evaluates impacts on noise-sensitive uses of noise-generating activities, including new stationary noise sources and traffic noise associated with major roadways in the Plan area.

I.4 ORGANIZATION OF THE EIR

Sections 15122 through 15132 of the CEQA Guidelines identify the content requirements for Draft and Final EIRs. An EIR must include a description of the environmental setting, environmental impact analysis, mitigation measures, alternatives, significant irreversible environmental changes, growth-inducing impacts, and cumulative impacts.

This Draft EIR is organized in the following manner:

Executive Summary

The Executive Summary defines the general characteristics of the proposed FDCP and provides a concise summary matrix of the Community Plan's environmental impacts and associated mitigation measures. The Executive Summary also summarizes the alternatives to the FDCP.

Chapter 1. Introduction

Chapter 1 provides an introduction and overview of the EIR and describes the characteristics and uses of a program EIR.

Chapter 2. Project Description

This chapter provides a detailed description of the proposed FDCP, including intended objectives, background information, and physical and technical characteristics of the proposed Community Plan. This chapter also presents applicable goals and policies of the Placer County General Plan. The proposed rezoning of the Plan area is also described, including new zoning districts.

Chapter 3. Environmental Setting, Impacts and Mitigation Measures

Chapter 3 analyzes the environmental topics listed below and described previously in Section 1.3. Each subsection contains a description of the existing setting of the Plan area, identifies Plan- and zoning-related impacts in comparison to existing conditions and feasible mitigation measures, and summarizes findings and conclusions.

- Population and Housing
- Land Use
- Community Design
- Public Facilities
- Parks and Recreation
- Natural Resources/Conservation/Open Space
- Cultural Resources
- Air Quality
- Transportation and Circulation
- Noise

The following format is used in this Draft EIR for impact evaluation and development of mitigation measures for identified impacts.

1) INTRODUCTION

2) SETTING

3) IMPACT EVALUATION CRITERIA

The standard or threshold by which impacts are measured is identified, with the objective of determining if an impact will be significant. Where no locally adopted or other specific standards exist, the thresholds established in Appendix G (Environmental Checklist) of the State CEQA Guidelines are used.

4) IMPACTS AND MITIGATION MEASURES

Impact #: Each impact is described and listed by number for future reference. A conclusion is made regarding the significance of the impact, both before and after mitigation.

Mitigation Measure #: Each mitigation measure is described and listed by number for future reference, and includes a reference (by number) to which impact or impacts it applies. This section also includes a statement whether or not the recommended measure will reduce the impact below the level of significance, based on the impact evaluation criteria.

Chapter 4. Project Alternatives

CEQA Guidelines Section 15126.6 requires that an EIR describe a range of reasonable alternatives to the project, which could feasibly attain the basic objectives of the project and avoid and/or lessen the environmental effects of the project. This alternatives analysis provides a comparative analysis between the FDCP and selected alternatives:

- No Project/development of the site in accordance with the existing Foresthill General Plan
- Lowest Density Alternative

- Highest Density Alternative

Chapter 5. Mandatory CEQA Sections

This chapter contains required discussions and analyses of various issues mandated by CEQA. The following topics are addressed in this section:

- Significant Environmental Effects That Cannot Be Avoided
- Significant Irreversible Impacts
- Cumulative Impacts
- Growth Inducing Impacts

In accordance with Section 15128 of the CEQA Guidelines, the Draft EIR contains a brief statement indicating the reasons why certain subjects have been found to pose no significant project-related impacts and are therefore not discussed in detail in this EIR.

List of Persons Contacted

This section presents a list of persons that were consulted during the preparation of the Draft EIR.

References

This section presents a list of references that were used during the preparation of the Draft EIR.

Report Contributors

This section presents a list of all authors and other persons who contributed to the preparation of the Draft EIR.

Appendices

Appendices are attached to this Draft EIR, including the Notice of Preparation and responses to the NOP, and technical studies prepared for this EIR.

I.5 ENVIRONMENTAL REVIEW PROCESS

Notice of Preparation

In accordance with Section 15082 of the State CEQA Guidelines, Placer County prepared a Notice of Preparation (NOP) for this EIR on September 25, 2001. The County is identified as the lead agency for the proposed FDCP and rezoning. The NOP was circulated to local, state and federal agencies and other interested parties to solicit comments on the proposed FDCP and rezoning. Comments and concerns raised in response to the NOP were considered during preparation of this Draft EIR and can be found in Appendix A.

Draft EIR

This document constitutes the Draft EIR. The Draft EIR contains a description of the FDCP and rezoning, description of the environmental setting, identification of FDCP and rezoning impacts, and mitigation measures for impacts found to be significant, as well as an analysis of FDCP alternatives. Upon completion of the Draft EIR, the County will file a Notice of Completion (NOC) with the State Clearinghouse to begin the public review period (Public Resources Code, Section 21161).

Public Notice/Public Review

Concurrent with the NOC, the County will provide public notice of the availability of the Draft EIR for public review, and invite comment from the general public, agencies, organizations, and other interested parties. The public review and comment period will be 45 days. Although no public hearings on the Draft EIR are required by CEQA, the County expects to hold one public hearing during the review period. Public comment on the Draft EIR will be accepted in both written and oral form at a public hearing conducted by the Placer County Planning Commission.

All comments or questions regarding this Draft EIR should be addressed to:

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Response to Comments/Final EIR

Following the public review period, the Final EIR will be prepared. The Final EIR will respond to all public comments, both written and oral, received during the review period and at any public hearing. The County Planning Commission will review the Draft EIR and provide comments on the Draft EIR for the Board of Supervisors to consider. The County Board of Supervisors will review and consider the Final EIR prior to their decision to take specific actions related to the FDCP.

Certification of the EIR

If the County finds that the Final EIR is "adequate and complete", the County may certify the Final EIR in writing in accordance with CEQA Guidelines Section 15091, and if applicable, Section 15093. Section 15091 specifies that the lead agency shall state findings, in writing, of any environmental impacts and the changes made to lessen the impact or the reason why such mitigation is infeasible. Section 15093 requires a statement of overriding considerations in cases

where the lead agency deems the project's benefits outweigh unavoidable environmental risks. The rule of adequacy generally holds that the EIR can be certified if:

- 1) the EIR shows a good faith effort at full disclosure of environmental information; and
- 2) the EIR provides sufficient analysis to allow decisions to be made regarding the project in contemplation of environmental considerations.

Mitigation Monitoring

CEQA Section 21081.6(a) and CEQA Guidelines Section 15097 require lead agencies to adopt a mitigation monitoring and reporting program to describe measures that have been adopted or made a condition of project approval in order to mitigate or avoid significant effects on the environment. Any mitigation measures adopted by the County as conditions for approval of the Community Plan will be included in a Mitigation Monitoring and Reporting Program to verify compliance. This Program is adopted by resolution at the time of Community Plan approval.